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RCE
FW 1761

| REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL | |
|--|-----------------|
| Application Number | 09/751,397 |
| Filing Date | January 2, 2001 |
| First Named Inventor | Wilson, et al. |
| Art Unit | 1761 |
| Examiner Name | Tran Lien, Thuy |
| Attorney Docket Number | 67,500-353 |

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114**
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Three-Month Extension of Time; Declaration under 37CFR 1.132
Submission of Supporting Data
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other _____
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 08-2789.
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee under 37 C.F.R. §§ 1.136 and 1.17
- iii. ☒ Other Any addition fees
- b. ☒ Checks in the amount of \$1,720.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|-----------------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Randall L. Shoemaker | Registration No. (Attorney/Agent) | 43,118 |
| Signature | <i>Randall L. Shoemaker</i> | Date | September 2, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail, Label No. EV520886177US in an envelope addressed to: Commissioner for Patents, Mailstop RCE, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|-------------------|------------------------|------|-------------------|
| Name (Print/Type) | Sandra L. Barry | Date | September 2, 2004 |
| Signature | <i>Sandra L. Barry</i> | | |

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09/07/2004 HAL111 00000080 09751397 770.00 DP 01 FC:1801



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wilson et al.

Serial No.: 09/751,397

Group Art Unit: 1761

Filed: January 2, 2001

Examiner: Tran, L.T.

For: **WAXY WHEAT PRODUCTS AND PROCESSES FOR
PRODUCING SAME**

PRELIMINARY AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Prior to examination of the accompanying Request For Continued Examination please amend the claims as follows and consider the accompanying remarks. This response is being submitted in conjunction with the filing of a Request For Continued Examination (RCE), a request for a three month extension of time, and a declaration under 37 C.F.R. § 1.132.